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PETITION TO ACCEPT UNINTENTIONALLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378 (c))

Docket Number (Optional)

GBT152US

Mail to: Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Fax: (571) 273-8300



NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent No. 6,389,056Application Number 09/275,010Issue Date 05/14/2002Filing Date 03/24/1999

CAUTION: Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

Also complete the following information, if applicable

The above - identified patent

18/28/2011 DALLEN 08888026 6389056

01 FC:1462

400,00 CP

Is a reissue of original Patent No. _____ original issue date _____

05

original application number _____

05

original filing date _____

05

resulted from the entry into the U.S. under 35 U.S.C. 371 of international application _____

05

filed on _____

05

CERTIFICATE OF MAILING (37 CFR 1.89(a))

I hereby certify that this paper (*along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

10-18-2011

Date

Signature

Mimi Hsu

Typed or Printed Name of Person Signing Certificate

[page 1 of 3]

This collection of information is required by 37 CFR 1.378(c). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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1. SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27.

2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g).

3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/>	\$ _____ 3 ½ yr fee	(1551)	<input type="checkbox"/>	\$ _____ 3 ½ yr fee	(2551)
<input checked="" type="checkbox"/>	\$ 2,480 7 ½ yr fee	(1552)	<input type="checkbox"/>	\$ _____ 7 ½ yr fee	(2552)
<input type="checkbox"/>	\$ _____ 11 ½ yr fee	(1553)	<input type="checkbox"/>	\$ _____ 11 ½ yr fee	(2553)

MAINTENANCE FEE BEING SUBMITTED \$ 2,480
previously paid

4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(2) of \$ 1,640 (Fee Code 1558) must be paid as a condition of accepting unintentionally delayed payment of a maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 1,640
previously paid

5. MANNER OF PAYMENT

Enclosed is a check for the sum of \$ _____

Please charge Deposit Account No. _____ the sum of \$ _____

Payment by credit card. Form PTO-2038 is attached.

6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee, surcharge or petition deficiency to Deposit Account No. _____

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

7. OVERPAYMENT

As to any overpayment made please

OR

Credit to Deposit Account No. _____

Send refund check

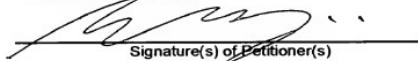
WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made) in the application or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

8. STATEMENT

The delay in payment of the maintenance fee to this patent was unintentional.

9. PETITIONER(S) REQUEST THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED



October 18, 2011

Date

Elmer Yuen

Typed or printed name(s)

Registration Number, if applicable

732-870-8088

Telephone Number

25 James Way, Eatontown, NJ 07724, USA

Address

Address

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

ENCLOSURES

Maintenance Fee Payment

Surcharge under 37 CFR 1.20(i)(2) (fee for filing the maintenance fee petition)

Maintenance Fee Payment and Surcharge previously paid

37 CFR 1.17(f) \$400 Petition Fee



Mimi Hsu
Patent Administrator

mhsu@gbtwireless.com

October 18, 2011

Via Mail

Mail Stop PETITIONS
Commissioner for Patents
Alexandria, VA 22313-1450

Dear Sir or Madam:

Re: Transmittal Letter for Petition under 37 CFR 1.378(e) for
Petition under 37 CFR 1.378(c) for
U.S Patent No. 6,389,056
Issued Date: May 14, 2002
Application No. 09/275,010
Filed: March 24, 1999

This patent was issued on May 14, 2002 and has expired on May 14, 2010 for failure to pay the 8th year maintenance fee. A petition under 37 CFR 1.378(c) was filed on Aug 1, 2011 but was dismissed due to the signatory capacity.

I am hereby submitting our Petition under 37 CFR 1.378(e) and have enclosed herein:

1. A copy of the decision of the petition;
2. A completed form PTO/SB/66 by the Assignee;
3. A completed form PTO-2038 for \$400
4. A completed Statement Under 37 CFR 3.73(b); and
5. A copy of the assignment of the Application, filed under Reel 9970, Frame 0060.

Please kindly note that the Maintenance fee and Surcharged had been previously submitted and charged.

Thank you.

Sincerely,

Mimi Hsu

www.gbtwireless.com

25 James Way ■ Eatontown ■ New Jersey, 07724
Tel 732/870-8088 ■ Fax 707/988-8398



OPAP 145
OCT 24 2011
PATENT AND TRADEMARK OFFICE

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MCDERMOTT WILL & EMERY LLP
600 13TH STREET, N.W.
WASHINGTON DC 20005-3096

RECEIVED
AUG 24 2011
McDERMOTT WILL & EMERY LLP
WASHINGTON, D.C.

MAILED

AUG 23 2011

OFFICE OF PETITIONS

In re Patent No. 6,389,056
Issue Date: May 14, 2002
Application No. 09/275,010
Filed: March 24, 1999
Attorney Docket No. GBT152US

ON PETITION

This is a decision on the petition under 37 CFR 1.378(c), filed August 1, 2011, to accept the delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

If reconsideration of this decision is desired, a petition for reconsideration under 37 CFR 1.378(e) must be filed within TWO (2) MONTHS from the mail date of this decision. No extension of this two-month time limit can be granted under 37 CFR 1.136(a) or (b). This is not a final agency action within the meaning of 5 U.S.C. § 704.

(1)

Any petition for reconsideration of this decision must be accompanied by the petition fee of \$400 as set forth in 37 CFR 1.17(f). The petition for reconsideration must include the lacking item(s) noted below, since, after a decision on the petition for reconsideration, no further reconsideration or review of the matter will be undertaken by the Director.

A petition to accept the unintentionally delayed payment of a maintenance fee under 35 U.S.C. 41(c) and 37 CFR 1.378(c) must be accompanied by: (1) a statement that the delay was unintentional; (2) payment of the appropriate maintenance fee, unless previously submitted; (3) payment of the surcharge set forth in 37 CFR 1.20(i)(2). This petition lacks none of the above items.

However, the instant petition was filed on behalf of the assignee and included the requisite Statement under 37 CFR 3.73(b). The statement appears to be defective as it was not signed by the proper party. A person having a title (administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to have authority to sign the submission on behalf of the assignee. The submission may be signed by a person in the organization having apparent authority to sign on behalf of the organization. 37 CFR 3.73(b)(2)(ii). An officer (chief executive officer, president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual

director. Modifications of these basic titles are acceptable, such as vice-president for sales, executive vice-president, assistant treasurer, vice-chairman of the board of directors. A power of attorney (37 CFR 1.32(b)(4)) to a patent practitioner to prosecute a patent application executed by the applicant or the assignee of the entire interest does not make that practitioner an official of an assignee or empower the practitioner to sign the submission on behalf of the assignee.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries should be directed to the undersigned at (571) 272-3206.

/Liana Walsh
Liana Walsh
Petitions Examiner
Office of Petitions

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: **GOLDEN BRIDGE TECHNOLOGY INC.**Application No./Patent No.: **6,389,056**Filed/Issue Date: **5/14/2002**Titled: **PRE-DATA POWER CONTROL COMMON PACKET CHANNEL****GOLDEN BRIDGE TECHNOLOGY INC.****Corporation**

(Name of Assignee)

states that it is:

- the assignee of the entire right, title, and interest in;
- an assignee of less than the entire right, title, and interest in
(The extent (by percentage) of its ownership interest is _____ %); or
- the assignee of an undivided interest in the entirety of (a complete assignment from one of the joint inventors was made) the patent application/patent identified above, by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel **9970**, Frame **0060**, or for which a copy therefore is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet(s).

As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee who or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Elmer Yuen

Printed or Typed Name

10/18/2011

Date

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

JULY 26, 1999

DAVID NEWMAN CHARTERED
P.O. BOX 2728
LA PLATA, MD 20646

PTAS



UNITED STATES DEPARTMENT OF COMM
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



101048377A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/20/1999

REEL/FRAME: 009970/0060
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
KANTERAKIS, EMMANUEL

DOC DATE: 05/14/1999

ASSIGNOR:
PARSA, KOUROSH

DOC DATE: 05/14/1999

ASSIGNEE:
GOLDEN BRIDGE TECHNOLOGY, INC.
185 ROUTE 36
WEST LONG BRANCH, NEW JERSEY 07764

SERIAL NUMBER: 09275010
PATENT NUMBER:

FILING DATE: 03/24/1999
ISSUE DATE:

PATENTS ONLY

Tab settings

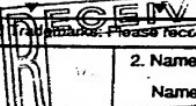
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

EMMANUEL KANTERAKIS

KOUROSH PARSA

M RD 5-20-99

Additional name(s) of conveying party(ies) attached? Yes No

2. Name and address of receiving party(ies):

Name: GOLDEN BRIDGE TECHNOLOGY,

Internal Address:

Street Address: 185 Route 36

City: WEST LONG BRANCH State: NJ ZIP: 07

Additional name(s) & address(es) attached? Yes No

Execution Date:

4. Application number(s) or patent number(s):

09/275,010

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/275,010

B. Patent No.(s)

05-27-1999



101048377

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: DAVID NEWMAN CHARTERED

Internal Address: _____

Street Address: P. O. BOX 2728

City: La PLATA State: MD ZIP: 20646

6. Total number of applications and patents involved: One

7. Total fee (37 CFR 3.41): \$ 40.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit ac-

05/26/1999 INGUTEM 00000181 09275010

DO NOT USE THIS SPACE

01 FC:581

40.00 US

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

EMMANUEL KANTERAKIS

Name of Person Signing

Signature

Date

Total number of pages comprising cover sheet: 1

Attorney Docket: GBTI

ASSIGNMENT

WHEREAS, WE:

EMMANUEL KANTERAKIS, a citizen of Greece, residing at

740 Hoover Drive
North Brunswick, New Jersey 08902

and

KOUSH PARSA a citizen of the United States, residing at

12 Amherst Road
Riverside, Connecticut 06878

as assignors, have made an invention entitled:

PRE-DATA POWER CONTROL COMMON PACKET CHANNEL

for which the patent application has been filed and has serial no. 09/275,010 and filing date of March 24, 1999.

WHEREAS,

Golden Bridge Technology, Inc.

a corporation of New Jersey, whose post office address is

185 Route 36
West Long Branch, New Jersey 07764

as assignee, is desirous of securing the entire right, title and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from assignee is hereby acknowledged, we, as assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, trans-

LAW OFFICES
DAVID NEWMAN
CHARTERED
CENTENNIAL SQUARE
P.O. BOX 2728
LA PLATA, MD 20646
(301) 934-6100

and set over unto assignee, its lawful successors and assigns our entire right, title, and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights claim priority on the basis of such application, and all applications for Letters Patent which may hereafter be filed this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country and all extensions, renewals, and reissues thereof, and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that we have full right to convey the interest assigned by this Assignment, and we have not executed, and will not execute any agreement in conflict with this Assignment;

AND, WE HEREBY further covenant and agree that we shall without further consideration, communicate with assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all law papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title of this invention in said assignee, its successors and

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assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I have hereunto set my hands.

Emmanuel Kanterakis

Date: 5-14-1999

EMMANUEL KANTERAKIS

County of Morristown
State of New Jersey

Before me, a notary public, in and for the State and County aforesaid, on this 14th day of May, 1999, personally appeared EMMANUEL KANTERAKIS who being to me personally known, and who having first executed the foregoing instrument in my presence and having been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.

Mary H. Collum
Notary Public

Date: May 14, 1999

LAW OFFICES
DAVID NEWMAN
CHARTERED
CENTENNIAL SQUARE
P.O. BOX 2726
LA PLATA, MD 20686
(301) 634-6100

SEAL

MARY H. COLLUM
Notary Public of New Jersey
My Commission Expires Jan 2, 2001

IN TESTIMONY WHEREOF, I have hereunto set my hands.

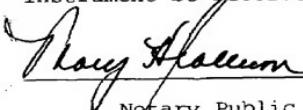

KOUROSH PARSA

Date: 5/14/99

County of Hopewell

State of New Jersey

Before me, a notary public, in and for the State and County aforesaid, on this 14th day of May, 1999, person appeared KOUROSH PARSA who being to me personally known, and having first executed the foregoing instrument in my presence and having been by me first duly sworn, did acknowledge the foregoing instrument as his free deed and act, signed, sealed and delivered by him for the purpose therein stated and intending to be legally bound thereby and intending that said instrument be recorded.


Mary Hallum

Notary Public

Date:

May 14, 1999

SEAL

T:\GBT\GRT152US.AS

MARY H. COLLUM
Notary Public of New Jersey
My Commission Expires Jan 2, 2003

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